

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/775,650	02/09/2004	Doug Hui Huang	034827-1502

CONFIRMATION NO.

FOLEY & LARDNER  
P.O. BOX 80278  
SAN DIEGO CA 92138-0278

3526

Date Mailed: September 15, 2004

### NOTICE REGARDING RESCISSION OF NONPUBLICATION REQUEST

Applicant filed a rescission of a previously-filed nonpublication request under 37 CFR 1.213(b) on September 10, 2004. A review of the Office's records of this application does not show a previously-filed nonpublication request.

Applicant is reminded that a request under 37 CFR 1.213(b) to rescind a nonpublication request is not appropriate unless the person signing the request has made an inquiry consistent with the requirement of 37 CFR 10.18(b) and determined that a nonpublication request under 37 CFR 1.213(a) was previously filed in the application.

Processing a request under 37 CFR 1.213(b) to rescind a nonpublication request in an application where a nonpublication request was not previously filed in the application is burdensome on the Office because it results in an unnecessary delay and a needless increase in the cost of processing the application. Therefore, practitioners who continue to engage in the practice of filing a request under 37 CFR 1.213(b) to rescind a nonpublication request in applications for which a nonpublication request was never filed may be subject to sanctions, disciplinary action, or both (see 37 CFR 10.18(c) and (d)). Furthermore, such a request to rescind may be considered as a failure to engage in reasonable efforts to conclude prosecution, resulting a reduction of any patent term adjustment. See 37 CFR 1.704(c).

Questions regarding this notice should be directed to the Pre-Grant Publication Division at (703) 605-4283 or by e-mail [pgpub@uspto.gov](mailto:pgpub@uspto.gov).